IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 18147 of 2007(I)

PETITIONER:

K.KRISHNAN NAIR, KAVUVILA VEEDU,
S/O.KUMARA PILLA, EDAIKULAM DEVI NAGAR,
PERURKADA, TRIVANDRUM.

BY ADV. SRI.RENJITH B.MARAR
SRI.PRABHU VIJAYAKUMAR
SRI.V.V.PRATHEEKSH KURUP
SMT.LAKSHMI.N.KAIMAL

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

2. THE SPECIAL TAHSILDAR,
LAND ACQUISITION (GENL) MARAKKADA ROAD,
CHALAI, THIRUVANANTHAPURAM.

3. EXECUTIVE ENGINEER, SEVERAGE PROJECT
DIVISION, OBSERVATORY HILL, THIRUVANANTHAPURAM.

R1 and R2 - BY GOVERNMENT PLEADER SRI.BASANT BALAJI.
R3 BY SMT.AMBIKA DEVI, STANDING COUNSEL, KWA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE SALE DEED NO.534/76 OF THE SASTHAMANGALAM SUB REGISTRAR'S OFFICE.

EXT.P2 TRUE COPY OF THE APPLICATION PREFERRED BY THE PETITIONER BEFORE THE PUBLIC INFORMATION OFFICER, LAND ACQUISITION GENL. DATED 12.6.2006.

EXT.P3 TRUE COPY OF THE LETTER ISSUED BY THE SECOND RESPONDENT TO THE 3RD RESPONDENT.

EXT.P4 TRUE COPY OF THE LETTER DATED 17.6.2006 ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT.

EXT.P5 TRUE COPY OF THE LETTER DATED 10.7.2006 ISSUED TO THE PETITIONER BY THE 3RD RESPONDENT.

EXT.P6 TRUE COPY OF THE REPRESENTATION PREFERRED BY THE PETITIONER ON 19.3.2007.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. To Judge.

K.PADMANABHAN NAIR, J.

W.P.(C) No. 18147 OF 2007

Dated this the 5th December, 2007.

J U D G M E N T

The grievance of the petitioner is that though the land was acquired for a public purpose, no compensation was paid to him.

2. The learned Standing Counsel for Kerala Water Authority, on instructions, submits that the Land Acquisition Officer demanded the entire amount as compensation for the land acquired, and entire amount, by way of cheque, was entrusted with Land Acquisition Officer. Now the petitioner has to collect that amount from the competent authority.

3. Since the amount has already been deposited, no further orders are required in this writ petition, and it is only to be closed, without prejudice to the right of the petitioner to get the amount from the competent authority, in accordance with law.

The writ petition is closed with the above observations.

However, it is made clear that this judgment will not be a bar for the petitioner to seek remedies, if any, available to him, in accordance with law.

K.PADMANABHAN NAIR,
JUDGE

nj.